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21229/211A 3789 PCT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HIDEYOSHI HORIMAI

Serial No.: 10/556,651

Filed: January 27, 2006

For: OPTICAL INFORMATION  
RECORDING/REPRODUCTION DEVICE  
AND METHOD

Art Unit: 2872

Examining Attorney: Audrey Y. Chang

NOTICE OF APPEALCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals from the Examiner's rejection of claims 1 through 11, 14 through 25 and 27 through 30 under 35 USC 103 in the Final Office Action issued on June 15, 2009, for the above-identified application. Please charge Deposit Account No. 50-4367 in the sum of \$270.00 (Fee Code: 2401) to cover the Appeal fee.

A Pre-Appeal Brief Request for Reissue is attached. In addition, Applicant respectfully requests a three-month extension of time so as to file a Notice of Appeal on the above-identified application. Since Applicant already paid a one month extension fee of \$65.00 (Fee Code: 2251) with a Rule 116 Amendment on October 7, 2009, please charge the remaining difference of \$490.00 to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Please charge any costs incurred by or in order to implement this Appeal or any required requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

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Quinn Emanuel Urquhart Oliver & Hedges, LLP  
Koda/Androlia  
865 S. Figueroa Street, 10th floor  
Los Angeles, CA 90017  
Tel: 213-443-3000 Fax: 213-443-3100  
E-mail: thomasedison@quinnemanuel.com :  
99999.76444/3242565.1

Respectfully submitted,

By: William L. Androlia  
Reg. No. 27,177

## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on December 14, 2009.

William L. Androlia  
Name

Signature

12/14/2009  
Date